

This order is SIGNED.

Dated: December 18, 2023


KEVIN R. ANDERSON
U.S. Bankruptcy Judge



rdr

PREPARED AND SUBMITTED BY:

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Attorneys for Raspberry Creek Fabrics, LLC,
Debtor-in-Possession

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, SOUTHERN DIVISION**

In re:

RASPBERRY CREEK FABRICS, LLC,

Debtor.

Bankruptcy Case No. 23-23514 (KRA)

Chapter 11

(Subchapter V)

**ORDER SUSTAINING DEBTOR'S OBJECTION TO PROOF OF CLAIM
NUMBER 5-1 FILED BY SALT LAKE COUNTY ASSESSOR**

The matter before the Court is the *Objection to Proof of Claim Number 5-1 Filed by Salt Lake County Assessor* filed on November 2, 2023, [Docket No. 28] (the "Objection") by Raspberry Creek Fabrics, LLC, the debtor and debtor-in-possession (the "Debtor") in the above-captioned case (the "Case"). The Objection addresses proof of claim number 5-1 (the "Claim"), filed by the Salt Lake County Assessor ("SLCO").

It appears from the *Notice of Objection to Proof of Claim 5-1 Filed by Salt Lake*

County Assessor and Notice of Hearing [Docket No. 29] (the “Notice”) and the *Certificate of Service* [Docket No. 30] that the Objection and Notice were properly served upon SLCO and other parties in interest. The Notice directed that any response to the Objection must be filed with the Court by no later than December 6, 2023. No response to the Objection was filed, and the time for filing responses has passed.

After reviewing the Objection and other matters of record as the Court deems appropriate, the Court finds that the Debtor has established good cause for granting the relief sought in the Objection. Accordingly, it hereby is **ORDERED AS FOLLOWS—**

1. The Objection is SUSTAINED.
2. The Claim is hereby DISALLOWED to the extent that it exceeds \$8,474.90.
3. The Claims is hereby DISALLOWED as a secured claim and is and shall be treated as a general unsecured claim for all purposes in the Case.
4. The Claim is hereby ALLOWED as a general unsecured claim in the amount of \$8,474.90.

----- END OF ORDER -----

DESIGNATION OF PARTIES TO BE SERVED

Service of the foregoing **ORDER** should be made to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of the record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

- **John S. Gygi** john.gygi@sba.gov
- **George B. Hofmann** ghofmann@ck.law, mparks@ck.law;apetersen@ck.law
- **Peter J. Kuhn** Peter.J.Kuhn@usdoj.gov,
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- **Jeffrey L. Trousdale** jtrousdale@cohnekinghorn.com,
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- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed. R. Civ. P. 5(b).

Salt Lake County Assessor
Attn: Amaita Livoyochi
2001 South State Street, #N2-600
PO Box 147421
Salt Lake City, UT 84114-7421

/s/ Jeffrey Trousdale